

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**IN RE:**

**CASE NO. 11-07135-8-SWH**

**STEVEN WILLIAMS and  
LINDA BAKER WILLIAMS,  
Debtors-in-Possession**

**Chapter 11**

**AMENDMENT TO AMENDED PLAN**

**COME NOW** Steven Williams and Linda Baker Williams, Debtors-in-Possession in the above captioned case [hereinafter “Debtors”], by and through their undersigned counsel and hereby file this Amendment to the treatment of Class 15 and Class 37 to correct the treatment as set forth in the Amended Plan and in support thereof show unto the Court the following:

1. On 17 September 2011, the Debtors commenced this case by filing the above-captioned petition under Chapter 11 of the United States Bankruptcy Code.
2. On 8 November 2011, Wells Fargo filed its Motion for Relief from Stay, or in the Alternative Adequate Protection related to the Debtors’ property on 912 N. Guthrie Street, Durham, NC.
3. On 22 March 2012, Midfirst filed its Motion for Relief from Stay, or in the Alternative Adequate Protection related to the Debtors’ property on 5529 Hornaday Rd, Unit C, Greensboro, NC 27409-2957.
4. In both of these instances, the Motions were resolved by consent of the parties to adequate protection which included agreement on the terms for these creditors under the Plan. Both of these creditors filed conditional ballots based on this understanding and agreement.
5. However, the Amended Plan, which was to be a summary of consents and agreements to date, incorrectly stated the terms of these agreements.
6. Instead both of these classes should have stated the following:  
  
“By agreement, the Parties entered into a consent order in regard to this claim and collateral. That consent order and its terms are incorporated herein by reference as if set out in full. The Debtors are performing under this consent order and will continue that treatment post-confirmation.”

7. The Debtors will amend this treatment specifically in the Order Confirming Plan to the satisfaction of the Parties. Until that time, the Debtors submit this Amendment as recognition of the error and the commitment to correct it in the final order allowing confirmation of the Amended Plan.

Respectfully submitted this 21st day of September 2012.

**J.M. Cook, P.A.**

By: /s/ J.M. Cook

J.M. Cook

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**CERTIFICATE OF SERVICE**

I, J.M. Cook, of 5886 Faringdon Place, Suite 100, Raleigh, North Carolina, 27609, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on this day, I served copies of the foregoing Objection electronically upon the Bankruptcy Administrator, counsel for the Movant, other counsel of record appearing on the docket and upon the following parties by mailing, postage prepaid, first class mail, addressed as follows:

Kimberly A. Sheek  
10130 Perimeter Parkway  
Suite 400  
Charlotte, NC 28216

I certify under penalty of perjury that the foregoing is true and correct.

This 21st day of September 2012.

**J.M. Cook, P.A.**

By: /s/ J.M. Cook

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